55 YEARS OF YOUR TRUST
HAROON OILS LIMITED
Producers of quality automotive and industrial lubricants.
Head Office: 021-32314066-8 Regional Office: 042-35757759
email: hol@haroonoils.com | www.haroonoils.com

DAWN

Pakistan committed to IWT proceedings despite India's move

Arbitration court suggests Islamabad, Delhi to pursue matter through Treaty's dispute resolution procedures

Dawn Report

ISLAMABAD: The Foreign Office on Wednesday declared that Pakistan continued to fully participate in the Neutral Expert's proceedings with regard to Indus Waters Treaty (IWT) in good faith after India's decision to halt its participation.

The FO issued the statement in response to clarifications issued by the Hague's Permanent Court of Arbitration (PCA) on the IWT, saying that Pakistan had taken note of the decision and calling the clarifications 'helpful'.

The PCA had issued its Award on Issues of General Interpretation of the IWT on Aug 8. Next month, Pakistan initiated an arbitration against India under the provisions of the IWT after India 'unilaterally' suspended it. The PCA issued clarifications on its decisions surrounding the treaty in response to a request, which concerned the interpretation and application of the IWT to certain design elements of run-of-river hydroelectric plants (HEPs).

The FO said Pakistan had also taken note of the procedural order issued in parallel with the decision. In response to a procedural order also issued in light of the decision, in which the court invited both parties to report on the status of Neutral Expert's proceedings, the FO said, "The Neutral Expert proceedings were initiated on India's request with their next phase scheduled to take place in Vienna from Nov 17 to 21, 2025. While India has decided to halt its participation, Pakistan continues to fully participate in the Neutral Expert proceedings in good faith."

It added that in this regard, the Neutral Expert had ruled that India's non-participation could not operate as a bar to the proceedings going forward.

According to the PCA, the requested clarifications included those in relation to Article III, which concerns the Western rivers, and paragraph 8 of Annexure D, which concerns new run-of-river hydro-electric plants that India may construct on these rivers. "The award also addressed a related question on the legal effect of decisions issued by dispute resolution bodies under the Treaty (namely, courts of arbitration and neutral experts)," it said.

The court found Pakistan's request for clarification to be "timely" and provided clarifications as to the meaning and scope of several aspects of its decisions, as well as its reasoning behind them. According to the statement, it also found that its clarifications would have the same binding effect as the original award.

The court clarified that its decisions on paragraph 8(a) of Annexure D to the treaty were "not limited to freeboard but, rather, extend to all components of run-of-river hydro-electric plants that India may construct on the Western rivers".

It also stated that the decisions "further prohibit any design that would allow … the works themselves to be capable of raising artificially the water level in the operating pool above the Full Pondage Level specified in the design", whether from the outset or via later modifications.

The PCA stated its references to "designing an Annexure D, Part 3 HEP" and the "design" of an Annexure D referenced mandatory design criteria, to be applied at the outset — i.e. at the time of planning. It added that these criteria were distinct from post-commissioning operational constraints on a HEP and could not be satisfied "simply by an acknowledgement of or commitment to operational restraint".

However, it declined Pakistan's request to clarify that a crest-gated spillway with gates extending above Full Pondage Level was prohibited under paragraphs 8a and 8e of the annexure, and that the design of an Annexure D, Part 3 HEP must always include an ungated spillway. It stated these clarifications to be outside the scope of its award.

The PCA stated its reference in paragraph 742 to the list of data and information that India is required to convey to Pakistan is an indicative list and is not comprehensive.

It stated, "Pakistan or India may seek to pursue the matter through the Treaty's dispute resolution procedures, including a further phase of these proceedings". It invited each party to provide written submissions on the status of these proceedings and its views as to any further phases of the proceedings with respect to any matters that were not resolved in the award.

Global South disproportionately vulnerable to climate change: watchdog

CLIMATE BYTE

- Risk index says climate disasters claimed over 832,000 lives from 1995 to 2024
- Pakistan among top 20 vulnerable countries in long-term index

By Zaki Abbas

ISLAMABAD: The Climate Risk Index 2026 has revealed that extreme climate events disproportionally affected the Global South countries, as none of the 10 most affected over the previous 30 years were in the high-income group.

The index, published by the international NGO Germanwatch, ranks countries by the human and economic toll of extreme weather.

In its report, which highlighted increasing losses and the urgent need for stronger climate resilience and action, the watchdog said Dominica, Myanmar, Honduras, Libya, Haiti, Grenada, the Philippines, Nicaragua, India and the Bahamas were among the top 10 affected countries as per the 30-year ranking.

Pakistan is at the 15th spot, Afghanistan at 19th and China is at 11th in the list of 20 countries most impacted by climate change.

In 2024, Pakistan was ranked at 47. However, the 2024 ranking also showed that the Global South was disproportionately affected. St. Vincent and the Grenadines, Grenada, Chad, Papua New Guinea, Niger, Nepal, the Philippines, Malawi, Myanmar, and Vietnam were most affected in 2024. None of these countries is from the high-income group.

Almost 1m deaths in 30 years

According to the report, from 1995 to 2024, more than 832,000 people died worldwide and direct economic losses of over $4.5 trillion (inflation-adjusted) directly resulted from more than 9,700 extreme weather events.

It said floods, storms, heatwaves and drought were the most prominent impacts short- and long-term, adding that from 1995 to 2024, heatwaves (33 per cent) and storms (33pc) caused the most fatalities.

"Floods accounted for almost half of those affected (48pc). Storms caused, by far, the greatest economic losses (58pc or $2.64tr, inflation-adjusted)," the report said.

It said human-caused climate change added 41 days of dangerous heat for billions of people worldwide, greatly impacting vulnerable populations and driving other extreme weather events, such as intensified hurricanes and wildfires. The summer of 2024 was the hottest on record, with two billion people experiencing over 30 risky heat days, it added.

The NGO said the findings were in line with the Intergovernmental Panel on Climate Change (IPCC) Sixth Assessment Report (AR6) high-confidence statement that "vulnerable communities who have historically contributed the least to current climate change are disproportionately affected".

It added that human-induced climate change affects the frequency and intensity of extreme weather events and leads to widespread adverse climate impacts. El Ni o influenced many extreme events at the beginning of 2024. However, attribution science found that climate change helped fuel these events even more than El Ni o, it added.

The report urged COP30, currently underway in Brazil's Belem city, to find effective ways to close the global ambition gaps to immediately reduce global emissions, step up adaptation efforts, enforce effective solutions to address loss and damage and provide adequate climate finance.

ANP leader escapes assassination bid in Swat

Jirga raises alarm on presence of militants, reiterates call for concrete steps

By Fazal Khaliq

SWAT: Awami National Party (ANP) executive committee member Mumtaz Ali Khan escaped an assassination attempt after his car was targeted with a remote-controlled bomb in Swat district on Wednesday.

According to the Matta police, the incident occurred around 11 am in the Shakardara area of Matta tehsil, where Mumtaz Ali Khan and his companions were travelling to attend a funeral in Arkot. A remote-controlled explosive device, planted in a wall along the roadside, detonated as their vehicle passed by, damaging the front portion of the car.

THE ANP leader was travelling to attend a funeral in Arkot area when he came under attack.—Dawn

"Fortunately, all occupants, including Mumtaz Ali Khan, remained completely unhurt," a police official said. Authorities added that the ANP leader has lost about 10 family members, including his father, brother and son, in terrorist attacks.

Swat District Police Officer Umar Khan stated the Swat police and the counter-terrorism department of police had launched an investigation. "We are examining all possible angles and will soon bring the perpetrators to justice," he said.

Meanwhile, the Swat Qaumi Jirga issued a statement expressing outrage over the "heinous and inhumane act". It described the bombing as a cowardly attempt to spread fear among the Swat citizens and noted that such incidents reflected the deteriorating security situation in the region.

It reiterated that the Swat jirga had repeatedly warned authorities that heavily armed militant groups, allegedly enjoying state patronage, had once again taken refuge in the mountainous areas of Swat.

The statement noted that the family of Shaheed Muzafar Ali Khan, another prominent leader of the Swat Qaumi Jirga, had already suffered irreparable losses due to terrorism.

The jirga declared that it reserved the right to launch public demonstrations against terrorism and oppression, and announced that a collective strategy and plan of action would soon be finalised after consultations among senior members.

Judicial nod must for judges' appointment, IHC rules

By Malik Asad

ISLAMABAD: Justice Babar Sattar of the Islamabad High Court (IHC) has ruled that the government cannot appoint judges to courts and tribunals solely by executive authority, declaring that judicial oversight is "constitutionally indispensable" to safeguard the independence of the judiciary.

In a 73-page judgement, the judge asserted that a "judicial nod cannot be ruled out" for appointments to judicial bodies within the Islamabad Capital Territory.

The federal government, he emphasized, cannot use its administrative powers to appoint officials to judicial posts "without effective and meaningful consultation with the Islamabad High Court".

The ruling came in response to a petition by lawyer Ammar Sehri, who asked the court to enforce a 2010 law ensuring all courts and tribunals in the capital operate under the high court's supervision, as mandated by the Constitution.

Invoking legal theory and history, Justice Sattar warned against unchecked executive power and the rise of "autocratic legalism," a system where legal frameworks are manipulated to consolidate power behind a veneer of legality.

"The preservation of legal form without substantive legality transforms law into an instrument of arbitrary authority," he wrote. "The erosion of judicial independence does not always occur through open defiance of law but through its selective invocation."

The judge observed that despite a constitutional mandate to separate the judiciary from the executive branch, "the executive continues to undermine judicial independence by retaining control over appointments and administration of special courts and tribunals".

The judgement cited the government's practice of appointing judges to fiscal and special tribunals, such as the Appellate Tribunal Inland Revenue and the Customs Appellate Tribunal, without proper judicial consultation.

Justice Sattar ruled that such mechanisms, which allow bureaucrats to exercise judicial powers, violate the constitutional separation of powers.

"Appointments to courts and tribunals discharging judicial functions cannot be left to the executive's discretion," he ruled. "The Islamabad High Court must have a decisive and supervisory role in the process."

Justice Sattar added that tribunals performing judicial work "must be manned, supervised, and controlled by the judiciary alone".

Addressing Islamabad High Court Act's Section 6, the judge noted that all local tribunals fall under the IHC's supervision.

He lamented that more than a decade after the law passed, many local courts are still staffed by judges borrowed from provincial judiciaries, a practice he said undermines the independence of Islamabad's own judiciary.

The court rejected the government's argument that appointments to some tribunals were purely administrative matters, holding that they were "judicial offices" requiring adherence to constitutional principles.

Justice Sattar ruled that even when a law grants appointment power to the prime minister or the federal government, it must be exercised only after "effective, meaningful and purposive consultation" with the high court's chief justice.

Bypassing this consultation risks "transforming the rule of law into an instrument of executive dominance," Sattar wrote.

"No democracy can survive if the power to appoint, remove, or discipline judges is wielded by the very executive they are meant to hold accountable," he said.

The judgement concluded with a stark warning.

"Autocratic legalism thrives when legality is stripped of its moral core," Justice Sattar wrote. "The judiciary's role is not to defend the government's convenience but to defend the Constitution's conscience."

Your Gateway to Global Scholarships
Join two expert-led workshops at the 21st Dawn Education Expo 2025
Day 1
The Scholarship Playbook
Hosted by the British Council
Discover Chevening, Commonwealth, GREAT, Charles Wallace, and plan your UK study journey.
Day 2
International Scholarships 101
An Interactive Workshop by Aspire
Explore Chevening, Erasmus+, and university awards while learning to craft winning applications.
KARACHI
15 November, 2025
2:30 PM
Pearl Continental Hotel
LAHORE
22 November, 2025
2:30 PM
The Nishat Hotel (Emporium)
KARACHI
16 November, 2025
2:45 PM
Pearl Continental Hotel
LAHORE
23 November, 2025
2:30 PM
The Nishat Hotel (Emporium)
Curiosity Has Its Rewards!
Register now for the 21st Dawn Education Expo at
https://educationexpo.dawn.com/student-reg-form/
DAWN Education Expo
educationexpo.dawn | Dawneduexpo | dawneducationexpo | dawneducationexpo | DawnEduExpo